

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MARNICE R. THOMAS,)	
)	
Plaintiff,)	
)	
v.)	No. 4:14-CV-01993 ERW
)	
SOUTHWESTERN BELL TELEPHONE)	
COMPANY,)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on Defendant Southwestern Bell Telephone Company's Bill of Costs [ECF No. 47].

Plaintiff Marnice Thomas filed a Petition against Defendant in the Circuit Court of St. Louis County, Missouri, alleging Defendant discriminated and retaliated against her on the basis of her disability. After removal to this Court, the Court granted summary judgment in favor of Defendant, dismissing all of Plaintiff's claims. Defendant has now filed a motion for bill of costs.

Rule 54(d) of the Federal Rules of Civil Procedure provides that "costs--other than attorney's fees--should be allowed to the prevailing party." See also *In re Derailment Cases*, 417 F.3d 840, 844 (8th Cir. 2005) ("A prevailing party is presumptively entitled to recover all of its costs."). Pursuant to 28 U.S.C. § 1920, the Court may tax costs for:

- (1) Fees of the clerk and marshal;
- (2) Fees for printed or electronically recorded transcripts necessarily obtained for use in the case;
- (3) Fees and disbursements for printing and witnesses;
- (4) Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case;
- (5) Docket fees under section 1923 of this title;
- (6) Compensation of court appointed experts, compensation of interpreters, and salaries, fees, expenses, and costs of special interpretation services under section 1828 of this title.

The Court may not award costs other than those authorized by § 1920, because this section “imposes rigid controls on cost-shifting in federal courts[.]” *Brisco-Wade v. Carnahan*, 297 F.3d 781, 782 (8th Cir. 2002) (internal quotations omitted). Upon objection by the opposing party as to authorized costs, however, the Court may exercise its discretion to grant or deny costs. *Pershern v. Fiatallis North America, Inc.*, 834 F.2d 136, 140 (8th Cir. 1987).

Defendant has requested \$3,345.44 in costs which includes the following: \$400 for Fees of the Clerk; \$2,720.60 for Fees for printed or electronically recorded transcripts; and \$224.84 for Fees for exemplification and making copies. Plaintiff did not file a response to Defendant’s Bill of Costs. The Court has reviewed the documentation and finds Defendant is entitled to the costs billed.

Accordingly,

IT IS HEREBY ORDERED Defendant Southwestern Bell Telephone Company’s Bill of Costs [ECF No. 47] is **GRANTED**.

So Ordered this 24th day of October, 2016.



E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE